IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 28TH NOVEMBER 2006 / 7TH AGRAHAYANA 1928

WP(C).No. 31018 of 2006(P)

PETITIONER:

K.N.RAJAMANI,
SREENIKETHANA, SOUTH BRIDGE AVENUE,
PANAMPILLY NAGAR, KOCHI-36.

BY ADV. SRI.LAL GEORGE
SRI.ANIMON A. JOHN

RESPONDENTS:
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1. VAIKOM MUNICIPALITY,
REPRESENTED BY ITS SECRETARY,
VAIKOM.

2. STATE OF KERALA,
REPRESENTED BY ITS CHIEF SECRETARY TO GOVERNMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

BY ADV. SRI.REGHU KOTTAPPURAM

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C.KURIAKOSE,J.

W.P.(C) NO. 31018 OF 2006

Dated this the 28th day of November, 2006

J U D G M E N T

The Sub Registrar of Registration of Births and Deaths in Vaikom Muncipality has filed a counter affidavit resisting the prayers in the writ petition. It is stated in para 2 that in the application submitted by the petitioner for issuance of a birth certificate pertaining to his son Rajamani Suryanarayanan, the names of the parents are shown as K.N.Rajamani and Annapoorni respectively. But on verification of the birth and death register, it was seen that the birth of son of the petitioner is not seen registered as per the date of birth shown in the register of births and deaths. The counter affidavit further states that on continuing the search, it could be noticed that a male child was born to Smt.K.N.Rajamani and one Annapoorneswary (whose birth is registered on 12th November 1962 against serial No.41 of 1962). But the counter affidavit reiterates that the birth of Rajamani Suryanarayanan is not seen recorded in the official records of the Municipality as on 10/08/1961.

2. I have heard Sri.Lal George, counsel for the petitioner

and Sri.K.Reghu Kottappuram, standing counsel for the Municipality. Mr.Lal would confine his prayers to a direction to the Municipality to issue a negative certificate, i.e., a certificate in the line that the date of birth of the petitioner's son Rajamani Suryanarayanan is not seen recorded in the official records of the Municipality as on 10/08/1961. I do not find any difficulty in granting such a direction since the same will be in tune with the stand taken by the Municipality in the counter affidavit also.

3. Accordingly, writ petition will stand disposed of in the following terms.

First respondent Municipality is directed to issue a certificate to the petitioner to the effect that the petitioner's son's (Rajamani Suryanarayanan's) date of birth is not recorded in the official record of the Municipality on 10/08/1961. Such a certificate shall be issued by the Municipality within two days of petitioner producing copy of this judgment.

PIUS C.KURIAKOSE, JUDGE

Rp